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Zeichen/Ref./Ref.	Anmeldung Nr./Application No./Demande n°./Patent Nr./Patent No./Brevet n°. 02021228.8-2404-
Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire G2M Cancer Drugs AG, et al	

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

abstract       title

- The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract:      NONE



## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



# PARTIAL EUROPEAN SEARCH REPORT

Application Number

which under Rule 45 of the European Patent Convention EP 02 02 1228  
shall be considered, for the purposes of subsequent  
proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT															
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)												
X	WO 97 35990 A (JAMISON TIMOTHY F ; HARVARD COLLEGE (US); TAUNTON JACK (US); HASSIG) 2 October 1997 (1997-10-02) * abstract; claims 50,63-73 * ---	1-9	G01N33/48												
X	EP 1 050 581 A (MEDICAL & BIOLOG LAB CO LTD) 8 November 2000 (2000-11-08) * abstract; claims 11,12,15 *	1-9													
X	SU G H ET AL: "A NOVEL HISTONE DEACETYLASE INHIBITOR IDENTIFIED BY HIGH-THROUGHPUTTRANSCRIPTIONAL SCREENING OF A COMPOUND LIBRARY" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 60, no. 12, 15 June 2000 (2000-06-15), pages 3137-3142, XP0000985980 ISSN: 0008-5472 * page 3137 * ---	1-9													
		-/-	TECHNICAL FIELDS SEARCHED (Int.Cl.7) G01N												
INCOMPLETE SEARCH															
The Search Division considers that the present application, or one or more of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for these claims.															
Claims searched completely:															
Claims searched incompletely:															
Claims not searched:															
Reason for the limitation of the search: see sheet C															
<table border="1"> <tr> <td>Place of search <b>MUNICH</b></td> <td>Date of completion of the search <b>20 February 2003</b></td> <td>Examiner <b>GONCALVES M L F C</b></td> </tr> <tr> <td colspan="3">CATEGORY OF CITED DOCUMENTS</td> </tr> <tr> <td colspan="3">           X : particularly relevant if taken alone            Y : particularly relevant if combined with another document of the same category            A : technological background            O : non-written disclosure            P : intermediate document         </td> </tr> <tr> <td colspan="3">           T : theory or principle underlying the invention            E : earlier patent document, but published on, or after the filing date            D : document cited in the application            L : document cited for other reasons            &amp; : member of the same patent family, corresponding document         </td> </tr> </table>				Place of search <b>MUNICH</b>	Date of completion of the search <b>20 February 2003</b>	Examiner <b>GONCALVES M L F C</b>	CATEGORY OF CITED DOCUMENTS			X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document		
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DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
Y	KWON H J ET AL: "A histone deacetylase inhibitor, trichostatin A, induces apoptosis through suppression of anti-apoptotic factors, c-IAP-1 and c-IAP-2 in human prostate epithelial cells" PROCEEDINGS OF THE ANNUAL MEETING OF THE AMERICAN ASSOCIATION FOR CANCER RESEARCH, NEW YORK, NY, US, vol. 40, March 1999 (1999-03), page 581 XP002180771 ISSN: 0197-016X * abstract * ----	1-9	
Y	SCHMIDT K ET AL: "INHIBITORS OF HISTONE DEACETYLASE SUPPRESS THE GROWTH OF MCF-7 BREAST CANCER CELLS" ARCHIV DER PHARMAZIE, VCH VERLAGSGESELLSCHAFT MBH, WEINHEIM, DE, vol. 332, no. 10, 1999, pages 353-357, XP000985303 ISSN: 0365-6233 * page 354 *	1-9	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
Y	WARELL R P ET AL: "THERAPEUTIC TARGETING OF TRANSCRIPTION IN ACUTE PROMYELOCYTIC LEUKEMIA BY USE OF AN INHIBITOR OF HISTONE DEACETYLASE" JOURNAL OF THE NATIONAL CANCER INSTITUTE, US DEPT. OF HEALTH, EDUCATION AND WELFARE, PUBLIC HEALTH, US, vol. 90, no. 21, November 1998 (1998-11), pages 1621-1625, XP002928827 ISSN: 0027-8874 * abstract * ----	1-9	
1		-/-	



Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
A	JUNG M: "INHIBITORS OF HISTONE DEACETYLASE AS NEW ANTICANCER AGENTS" CURRENT MEDICINAL CHEMISTRY, BENTHAM SCIENCE PUBLISHERS BV, BE, vol. 8, 2001, pages 1505-1511, XP001098704 ISSN: 0929-8673 * abstract * ---	1-9	
Y	GREENBERG V L ET AL: "HISTONE DEACETYLASE INHIBITORS PROMOTE APOPTOSIS AND DIFFERENTIAL CELL CYCLE ARREST IN ANAPLASTIC THYROID CANCER CELLS" THYROID, MARY ANN LIEBERT, NEW YORK, NY, US, vol. 11, no. 4, April 2001 (2001-04), pages 315-325, XP009003316 ISSN: 1050-7256 * abstract *	1-9	
Y	WO 00 71703 A (METHYLGENE INC) 30 November 2000 (2000-11-30) * abstract; claims 28-39 *	1-9	
X	"SMALL MOLECULE INHIBITORS OF HISTONE DEACETYLASE" EXPERT OPINION ON THERAPEUTIC PATENTS, ASHLEY PUBLICATIONS, GB, vol. 12, no. 6, 2002, pages 943-947, XP001120539 ISSN: 1354-3776 * page 944 - page 945 *	1-9	



Claim(s) searched completely:  
1-9

Claim(s) not searched:  
10-14

Reason for the limitation of the search:

Present claims 10-14 relate to a uses of a product defined by reference to a desirable characteristic or property, namely "to determine the amount of a molecular marker"

The claims cover all products having this characteristic or property, whereas the application provides support within the meaning of Article 84 EPC and/or disclosure within the meaning of Article 83 EPC for only a very limited number of such products. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 84 EPC). An attempt is made to define the product by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the methods of claims 1-9.

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 02 02 1228

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

20-02-2003

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